

21861 U.S. PTO  
040904

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Marcus Damm  
Appln. No.: Unknown  
Filed: Herewith  
For: Improvements in Air-Bags  
Attorney Docket No: 12400-009

Examiner: Unknown  
Art Unit: Unknown

MS Patent Application  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

16834 U.S. PTO  
10/821470  
040904

Sir:

Attached is/are:

- X Utility Patent Application and Application Transmittal
- X 3 Sheets of Drawings
- X Check in the Amount of \$770.00
- X Unsigned Declaration/Power of Attorney
- X Information Disclosure Statement; Form PTO-1449; Four Reference Copies
- X Priority Document
- X Return Receipt Postcard

### Fee calculation and payment:

- ☐ No additional fee is required.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

				Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=	
					Total	\$	Total	\$

### Fee calculation and payment:

- ☒ A check in the amount of \$770.00 to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

April 9, 2004

Date

Steven L. Oberholzer, Esq. (Reg. No. 30,670)

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Express Mail Label No. EV 339727058 US, in an envelope addressed to: MS Patent Application, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 9, 2004

Name:

M. Collins

Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

BRINKS HOFFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610

## 4. Fee payment :

- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☐ Please charge my Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
- ☒ Any additional filing fees required under 37 CFR § 1.16.
- ☒ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The Director is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-1925.
- ☐ Any filing fees under 37 CFR § 1.16 for presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The issue fee set in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

## 5. X Certified copy of priority document(s)

X is attached or ☐ has been filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_.

6. ☐ English Translation Document

☐ is attached or ☐ has been filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_.

7. ☐ Preliminary Amendment:

- ☐ A Preliminary Amendment is attached (*note*: related application data required under 37 CFR § 1.78, if any, appears in the Amendments to the Specification section of the Preliminary Amendment, including incorporations by reference).
- ☐ A "Petition to Suspend Prosecution For the Time Necessary to File an Amendment (New Application Filed Concurrently)" is attached.

## 8. X Information Disclosure Statement, including Form PTO-1449 (4 sheets) and copies of references cited, if required.

9. ☐ An Assignment to \_\_\_\_\_:

- ☐ with accompanying Assignment Recordation Cover Sheet, is attached.
- ☐ was previously recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.

10. ☐ Power of Attorney (\_\_\_\_\_ pages; ☐ by inventor ☐ by Assignee identified in item #9 above)11. ☐ Nonpublication Request under 35 USC § 122(b)(2)(B)(i)12. ☐ Other: \_\_\_\_\_13. ☒ Return Postcard

## 14. The power of attorney in the prior application is to: \_\_\_\_\_ (Reg. No. \_\_\_\_\_).

- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers in the prior application, but was filed on: \_\_\_\_\_
- ☐ A new power has been executed and is attached.

## 15. CORRESPONDENCE ADDRESS: please recognize the correspondence address for this application as the address associated with the following Customer Number:

**Customer No. 00757 - Brinks Hofer Gilson Lione**

## 16. PLEASE DIRECT all telephonic communications to:

Steven L. Oberholtzer, Esq. (tel: (734) 302-6000).

Respectfully submitted,



Steven L. Oberholtzer, Esq. (Reg.No. 30,670)  
Customer No. 00757 - Brinks Hofer Gilson Lione

April 9, 2004  
Date

In re Application of: Marcus Damm  
 For: Improvements in Air-Bags  
 Attorney Docket No: 12400-009  
 Express Mail" mailing label number: EV 339727058 US  
 Date of Deposit: April 9, 2004

**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

## UTILITY PATENT APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Transmitted herewith is:

- ☒ A new application under 37 C.F.R. §1.53(b).  
☐ A ☐ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP) under 37 C.F.R. §1.53(b) of prior application no. \_\_\_\_/\_\_\_\_.

Prior application information: Examiner: \_\_\_\_\_ Art Unit: \_\_\_\_\_

- ☐ Maintenance of copendency of prior application: A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until \_\_\_\_\_.

For Continuation or Divisional Applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied as indicated below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The following application elements and other papers are attached:

1. Application including: ☐ Application Data Sheet. See 37 CFR § 1.76.  
☒ Title page  
☒ Specification, including claims and Abstract (11 pages)  
☒ Drawings (3 sheet(s))  
☐ Appendices:  
☒ Declaration or X Unsigned Combined Declaration and Power of Attorney ( pages):  
☐ newly-executed (original or copy)  
☐ copy from a prior application (37 CFR §1.63(d))  
☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53(d)(4). Please DELETE the following inventors(s) named in prior nonprovisional application no: \_\_\_\_\_:

2. ☐ Small Entity Status:

- ☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.  
☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. \_\_\_\_/\_\_\_\_ and such status is still proper and desired.  
☐ Is no longer desired.

3. Fee calculation (after entry of any preliminary amendment(s) in Item #7 below):

Claims as Filed	Col. 1	Col. 2	Small Entity			Not a Small Entity	
For	No. Filed	No. Extra	Rate	Fee	or	Rate	Fee
Basic Fee				\$ 385	or		\$ 770
Total Claims	10-20	0	x\$9=	\$	or	0x\$18=	\$0.00
Independent Claims	1-3	0	x\$43=	\$	or	0x\$86=	\$0.00
Multiple Dependent Claims Present			+\$145=	\$	or	0+\$290=	\$0.00
*If the difference in col. 1 is less than zero, enter "0" in col. 2.			Total	\$	or	Total	\$770.00

## 4. Fee payment :

- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☐ Please charge my Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
- ☒ Any additional filing fees required under 37 CFR § 1.16.
- ☒ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The Director is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-1925.
- ☐ Any filing fees under 37 CFR § 1.16 for presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The issue fee set in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

## 5. X Certified copy of priority document(s)

X is attached or ☐ has been filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_.

6. ☐ English Translation Document

☐ is attached or ☐ has been filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_.

7. ☐ Preliminary Amendment:

- ☐ A Preliminary Amendment is attached (*note*: related application data required under 37 CFR § 1.78, if any, appears in the Amendments to the Specification section of the Preliminary Amendment, including incorporations by reference).
- ☐ A "Petition to Suspend Prosecution For the Time Necessary to File an Amendment (New Application Filed Concurrently)" is attached.

## 8. X Information Disclosure Statement, including Form PTO-1449 (4 sheets) and copies of references cited, if required.

9. ☐ An Assignment to \_\_\_\_\_:

- ☐ with accompanying Assignment Recordation Cover Sheet, is attached.
- ☐ was previously recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.

10. ☐ Power of Attorney (\_\_\_\_\_ pages; ☐ by inventor ☐ by Assignee identified in item #9 above)11. ☐ Nonpublication Request under 35 USC § 122(b)(2)(B)(i)12. ☐ Other: \_\_\_\_\_13. ☒ Return Postcard

## 14. The power of attorney in the prior application is to: \_\_\_\_\_ (Reg. No. \_\_\_\_\_).

- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers in the prior application, but was filed on: \_\_\_\_\_
- ☐ A new power has been executed and is attached.

## 15. CORRESPONDENCE ADDRESS: please recognize the correspondence address for this application as the address associated with the following Customer Number:

**Customer No. 00757 - Brinks Hofer Gilson Lione**

## 16. PLEASE DIRECT all telephonic communications to:

Steven L. Oberholtzer, Esq. (tel: (734) 302-6000).

Respectfully submitted,



Steven L. Oberholtzer, Esq. (Reg.No. 30,670)  
Customer No. 00757 - Brinks Hofer Gilson Lione

April 9, 2004

Date